

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

NICOLE CONSTABLE,

Plaintiff,

vs.

CAROLYN W. COLVIN,

Acting Commissioner of Social Security,

Defendant.

Case No. 4:14 CV 1128 CDP

**MEMORANDUM AND ORDER**

Plaintiff Nicole Constable filed this case on June 20, 2014, appealing the denial of her application for supplemental security income benefits. On September 29, 2015, after briefing from both parties, I reversed and remanded the case for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

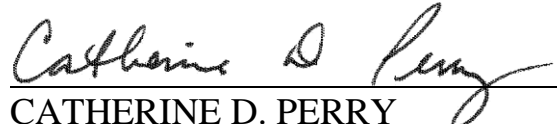
Constable now seeks attorney's fees in the amount of \$4687.50, pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412. The Commissioner does not oppose Constable's motion, but requests that any award be made payable in accordance with *Astrue v. Ratliff*, 560 U.S. 586 (2010). Upon review of the motion and the Commissioner's response, I find the requested fees and the Commissioner's requested terms of payment to be reasonable.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's Application for Attorney's Fees under the Equal Access to Justice Act [ECF #23] is **GRANTED**.

**IT IS FURTHER ORDERED** that, pursuant to 28 U.S.C. § 2412(d), plaintiff shall recover attorney's fees in the amount of Four Thousand, Six Hundred Eighty-Seven and 50/100 Dollars (\$4,687.50).

**IT IS FURTHER ORDERED** that the award shall be made payable to The Law Offices of Daniel A. Parmele, P.C., pursuant to the Affidavit and Assignment of EAJA Fee executed by the plaintiff in this case (*see* ECF #23-3) unless plaintiff has a pre-existing debt owed to the United States, in which case the award shall be made payable to the plaintiff and shall be subject to offset to satisfy such debt.

  
\_\_\_\_\_  
CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 6<sup>th</sup> day of January, 2016.